

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**ZEBORAH C. WALSBERG**

**PLAINTIFF**

**v.**

**Case No: 3:20-cv-00012-KGB**

**REGIONS, *et al.***

**DEFENDANTS**

**ORDER**

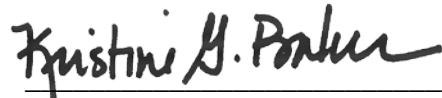
Before the Court is plaintiff Zeborah C. Walsberg's *pro se* motion for leave to proceed *in forma pauperis* (Dkt. No. 1). For the following reasons, the Court denies this motion (*Id.*).

Under 28 U.S.C. § 1915, the decision to grant or deny *in forma pauperis* status is within the sound discretion of the district court. *Cross v. Gen. Motors Corp.*, 721 F.2d 1152, 1157 (8th Cir. 1983) (citations omitted). Although a claimant need not be “completely destitute” to take advantage of the *in forma pauperis* statute, he or she must show that paying the filing fee would result in an undue financial hardship. *In re Williamson*, 786 F.2d 1336, 1338 (8th Cir. 1986). In her application, Ms. Walsberg states that she receives \$1,214.00 monthly from social security, has \$13.00 between her checking and savings accounts, and owns an automobile valued at \$14,000.00 (*Id.*, at 1-2). Thus, the Court estimates Ms. Walsberg's annual income as \$14,568.00. Ms. Walsberg lists recurring monthly expenses in the amount of \$569.00 (*Id.*, at 2). Ms. Walsberg claims no dependents, debts, or financial obligations (*Id.*).

Based upon her representation that her future income will amount to \$1,214.00 per month with \$569.00 in monthly expenses and that she owns an automobile worth \$14,000.00, it appears that Ms. Walsberg has the ability to pay the filing fee without suffering an undue hardship. Accordingly, Ms. Walsberg's application to proceed *in forma pauperis* is denied without prejudice, subject to refiling (Dkt. No. 1). Within 30 days of the entry of this Order, Ms. Walsberg must

either: (1) pay the \$400.00 filing fee in full or (2) file an amended application to proceed *in forma pauperis* that clearly describes Ms. Walsberg's financial situation for the Court's review and consideration, if Ms. Walsberg believes that her current pending *in forma pauperis* application fails to describe clearly her entire financial situation. If Ms. Walsberg does not pay the filing fee or file an amended *in forma pauperis* application within 30 days, this action will be dismissed without prejudice. Ms. Walsberg's failure to comply with this Order could result in the dismissal of her lawsuit. *See* Local Rule 5.5 of the Local Rules of the Eastern and Western Districts of Arkansas ("If any communication from the Court to a *pro se* plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.").

It is so ordered, this 14th day of April 2020.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Kristine G. Baker

United States District Judge